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11 IN THE UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

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14 UNITED STATES OF AMERICA, Plaintiff,
15 v. Defendant.
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CASE NO. 2:22-cr-00162-JAM

**STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER**

DATE: June 27, 2023
TIME: 9:30 a.m.
COURT: Hon. John A. Mendez

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18 **STIPULATION**

19 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
through defendant's counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status on June 27, 2023.

21 2. By this stipulation, defendant now moves to continue the status conference until **August
22 1, 2023, at 09:00 a.m.**, and to exclude time between June 27, 2023, and August 1, 2023, under Local
23 Code T4.

24 3. The parties agree and stipulate, and request that the Court find the following:

25 a) The government has represented that the discovery associated with this case
26 includes multiple reports, dozens of Spanish recordings, and photographs. The government
27 produced initial discovery on September 30, 2022, and after obtaining a protective order,
28 produced the Spanish recordings on October 19, 2022.

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2 b) Counsel for defendant desires additional time to review discovery, meet with his
3 client, conduct independent factual investigation, and otherwise prepare for trial.

4 c) Counsel for defendant believes that failure to grant the above-requested
5 continuance would deny him the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of June 27, 2023 to August 1, 2023,
13 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
14 because it results from a continuance granted by the Court at defendant's request on the basis of
15 the Court's finding that the ends of justice served by taking such action outweigh the best interest
16 of the public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

20 IT IS SO STIPULATED.

21 Dated: June 23, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ EMILY G. SAUVAGEAU
EMILY G. SAUVAGEAU
Assistant United States Attorney

27 Dated: June 23, 2023

/s/ Timote Tuitavuki
Timote Tuitavuki
Counsel for Defendant
JUAN PICASO

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: June 23, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE